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8 UNITED STATES DISTRICT COURT  
9 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
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11 KARI BODE and GINA NASTASI,  
12  
13 Plaintiffs,

14 v.

15 CITY OF FULLERTON, OFFICER  
16 ALBERT RINCON, OFFICER  
17 CHRISTOPHER WREN, and DOES 1  
18 TO 100, Inclusive,  
19 Defendants.  
20

Case No.: SACV 10-0835-AG (MLGx)  
Judge: Hon. Andrew J. Guilford  
Dept.: Courtroom 10D

**[PROPOSED] ORDER RE: EX  
PARTE APPLICATION TO  
STRIKE UNTIMELY MOTION  
FOR SUMMARY JUDGMENT**

Complaint Filed: December 17, 2009  
Trial: November 8, 2011

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1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD HEREIN:**

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3 The Court having read and considered all filings and arguments in connection  
4 with Plaintiffs' Ex Parte Application to Strike The Untimely Motion For Summary  
5 Judgment filed by Defendant City of Fullerton, hereby rules as follows:

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7 \_\_\_\_\_. Plaintiff's *Ex Parte* Application is GRANTED. Defendants'  
8 Motion for Summary Judgment [Docket No. 20], was not timely filed. It is stricken  
9 and taken off calendar on that basis.

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11 \_\_\_\_\_. Plaintiff's *Ex Parte* Application is DENIED.

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13 **IT IS SO ORDERED.**

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15 DATE: September \_\_, 2011

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Hon. Andrew J. Guilford  
UNITED STATES DISTRICT COURT JUDGE